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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/749,369 | 12/18/2000 | Alejandro Wiechers | 10001311-1 | 8361 |

7590 09/09/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

WORJLOH, JALATEE

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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3621

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/749,369

Applicant(s)

WIECHERS, ALEJANDRO

Examiner

Jalatee Worjloh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-13,15-17,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-13,15-17,19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is responsive to the amendment filed on June 13, 2003, in which claims 1, 12 and 17 were amended and claims 4, 14, and 18 canceled.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 12, and 17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 5-13, 15-17, 19 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2002/0035697 to McCurdy et al. in view of U.S. Publication No. 2003/0080999 to Stone et al.

Referring to claims 1,2,6 and 7, McCurdy et al. disclose a publisher for converting the authored work to a resulting commercial-grade publication, a repositor linked with the publisher for storing the commercial-grade publication, a sales manager linked with the repositor for retrieving the commercial-grade publication from the repository and distributing that commercial-grade publication, an encoder linked with the publisher, the repository, and the sales

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manager for securing information associated with the authored work from unsolicited disclosure outside the network addressable device; wherein the publisher interfaces with a remote service provider for publication of the authored work; wherein the repository provides the commercial-grade publication to the sales manager (see sections [0088] - [0091]). McCurdy et al. do not expressly disclose the publisher linked to at least one remote service provider for remote electronic editing of the authored work for content. Stone et al. disclose the publisher linked to at least one remote service provider for remote electronic editing of the authored work for content (see paragraphs [0164] and [0192]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the device disclose by McCurdy et al. to include the publisher linked to at least one remote service provider for remote electronic editing of the authored work for content. One of ordinary skill in the art would have been motivated to do this because it provides an effective system of edit and content control for the creation and publishing of commercial sales and information-oriented traditional media and electronic presentation in a cost-effective manner (see Stone et al. paragraph [0024]).

Referring to claim 3, McCurdy et al. disclose the device wherein the network addressable device is coupled to a browser (see section [0084]).

Referring to claim 5, McCurdy et al. disclose the device wherein the publisher interfaces with a remote service provider for preparing the authored work for marketability (see section [0193]).

Referring to claim 8, McCurdy et al. disclose the device wherein the sales manager distributes the commercial-grade publication in a format compatible with electronic media (see section [0106]).

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Referring to claim 9, McCurdy et al. disclose the device wherein the sales manager accounts for each distribution of the commercial grade publication for purposes of revenue (see section [0107]).

Referring to claims 10 and 11, McCurdy et al. disclose device wherein the device is linked with the Internet communications network or an intranet (see section [0080], lines 15-17).

Referring to claims 12 and 16, McCurdy et al. disclose a first computer program code for converting the authored work to a resulting commercial-grade publication, a second computer program code linked with the first computer program code for storing the commercial-grade publication, a third computer program code linked with the second computer program code for retrieving the commercial-grade publication from storage and distributing that commercial-grade publication; wherein the second-computer program code provides the commercial-grade publication to the third computer program code (see section [0086], lines 1-8; [0088] - [0091]).

McCurdy et al. do not expressly disclose the first computer program code interfaces with a remote service provider for editing the authored work for content. Stone et al. disclose the first computer program code interfaces with a remote service provider for editing the authored work for content (see paragraphs [0015], [0164] and [0192]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the computer program code disclose by McCurdy et al. to include the publisher linked to at least one remote service provider for remote electronic editing of the authored work for content. One of ordinary skill in the art would have been motivated to do this because it provides an effective system of edit and content control for the creation and publishing of commercial sales and information-oriented

traditional media and electronic presentation in a cost-effective manner (see Stone et al. paragraph [0024]).

Referring to claim 13, McCurdy et al. disclose the computer program code wherein the third computer program code accounts for each distribution of the commercial grade publication for purposes of revenue (see section [0086], lines 1-8; [0107]).

Referring to claim 15, McCurdy et al. disclose the computer program code wherein the publisher interfaces with a remote service provider for preparing the authored work for marketability (see section [0086], lines 1-8; [0193]).

Referring to claims 17, 19 and 20, McCurdy et al. disclose receiving the authored work within the communications network, converting the authored work to a resulting commercial-grade publication, storing the commercial-grade publication for subsequent publication, distributing that commercial-grade publication, and formatting the commercial-grade publication for compatibility with electronic media (see sections [0088] - [0091]). McCurdy et al. do not expressly disclose allocating the authored work to a remote service provider for content editing electronically via the communications network to facilitate converting the authored work to a commercial-grade publication. Stone et al. disclose allocating the authored work to a remote service provider for content editing electronically via the communications network to facilitate converting the authored work to a commercial-grade publication (see paragraphs [0015], [0164] and [0192]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by McCurdy et al. to include the step of allocating the authored work to a remote service provider

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for content editing electronically via the communications network to facilitate converting the authored work to a commercial-grade publication. One of ordinary skill in the art would have been motivated to do this because it provides an effective system of edit and content control for the creation and publishing of commercial sales and information-oriented traditional media and electronic presentation in a cost-effective manner (see Stone et al. paragraph [0024]).

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- WO 00/48098 to Carden discloses a system and method for publishing documents.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306, and 703-746-9443 for Non-Official/Draft.

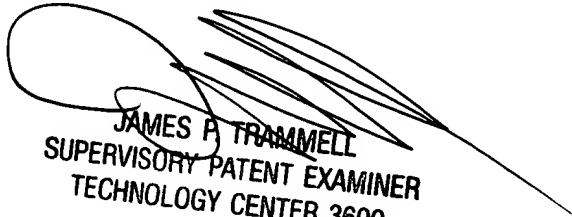
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450***

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, V.A., Seventh floor receptionist.

August 28, 2003


**JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**